

What's Hot and What's Not: Policy and Legislative Update



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National Context: Federal Education Data

2012-2013 national numbers on homeless children and youth released today:

- 1,258,182 homeless children and youth enrolled in public schools
- 8% increase over the previous year
- 85% increase since 2006-2007 recession
- 34 states reported an increase
- 75,940 unaccompanied homeless youth
- 37,598 children ages 3-5

Government Accountability Office Report on Homeless Education

Published August 2014. Examined:

- (1) how districts identify and serve homeless students and challenges they face
- (2) how USDE (ED) and states collaborate with other service providers to address student needs and any barriers
- (3) the extent to which USDE (ED) monitors program compliance

GAO Report: Barriers and Challenges

- Under-identification of homeless children
- Limited staff and resources to provide services
- Cost of transportation
- Student stigma associated with homelessness
- Responding to students made homeless by natural disasters
- Different definitions of homelessness pose barriers to interagency collaboration

GAO Report :

Federal Findings and Recommendation

- ED has no plan to ensure adequate oversight of all states
- Lacks assurance that states are complying with program requirements
- Other priorities and a lack of staff capacity as reasons for decrease in oversight
- Recommendation: develop a plan to ensure adequate oversight of the EHCY program

Consolidated Appropriations Act of 2014

New Title I and Homelessness

Funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

Federal Guidance Issued July 2014

Title I Part A, including funds reserved under section 1113(a)(3), may:

- Be used in full to support the position of the liaison
- Be used to provide transportation to the school of origin

LEAs must continue to provide comparable services; using Title I for the liaison and school of origin transportation do not satisfy the comparable services requirement

Federal Budget/FY2015 Appropriations

- McKinney-Vento homeless education funded at \$65 million in FY2014 (sequestration mostly restored)
- Congress once again failed to complete action on FY2015 budget before end of fiscal year
- Continuing resolution passed last week to fund government until December 11 (after the election)

What's HOT: Potential Movement in 2014

- Child Care Development Block Grant
- Runaway and Homeless Youth Act
- Homeless Children and Youth Act

What's NOT: Temporarily Stalled

- Elementary and Secondary Education Act reauthorization (including McKinney-Vento)
- Strong Start for America's Children (universal preschool legislation)
- Higher Education Act reauthorization

McKinney-Vento, Title I, and Elementary and Secondary Education Act Reauthorization

- Congress has been working on this legislation since 2007, but partisan differences and other Congressional priorities have prevented it from moving forward
- Major action in 2007, 2011, and 2013...
- Nothing at all in 2014

Major Issues in ESEA Reauthorization

- McKinney-Vento Personnel: State Coordinators and Local Liaisons
- School Stability Provisions (“Feasibility”)
- Enrollment
- Transportation
- Disputes
- Credits/Academic Support
- Extra-curricular activities
- Unaccompanied Youth
- Preschool Children
- Funding Level
- Title I, Part A Setasides
- Children and Youth in Foster Care

Strong Start for America's Children Act: S. 1697 and H.R. 3462

- New federal-state partnership to increase access to high quality prekindergarten programs for low and moderate income children
- A phased-in federal-state match with formula grants to states based on the state population of low-income 4-year-olds
- Eligible states must offer state-funded preK, have early learning standards, and be able to link preK data to K-12 data
- McKinney-Vento-esque requirements for local applications: outreach, identify, enroll, stabilize, transport homeless children

Higher Education Act Reauthorization

- S. 1754, the Higher Education Access and Success Act for Homeless and Foster Youth
- Most of this legislation included in Senate Committee Proposal passed on June 25, 2015
 - Clarifies that unaccompanied homeless youth under age 24 are considered independent students;
 - Expands the entities authorized to make determinations of unaccompanied homeless youth
 - Requires financial aid administrators to make determinations of unaccompanied homeless youth status for youth who cannot get determinations from other authorities

HEA Bill for Homeless/Foster, 2

- Eliminates the requirement for unaccompanied homeless youths' status to be re-determined every year.
- Students will continue to be independent unless the student's circumstances have changed, or the financial aid administrator has conflicting information; and
- Requires the Student Loan Ombudsman to receive, review and expeditiously resolve complaints regarding the independent student status of homeless and foster youth
- Provides homeless and foster youth in-state tuition to reduce barriers to college attendance due to lack of financial support

HEA Bill for Homeless/Foster, 3

- Designates a single point of contact to assist homeless and foster youth to access and complete higher education;
- Requires IHEs to:
 - Post public notice about financial and other assistance available to homeless and foster youth;
 - Develop a plan to assist homeless and foster youth to access housing resources during and between academic terms; and
 - Include in applications questions about homeless or foster status, that youth can answer voluntarily to receive assistance accessing financial aid and other resources.

The Child Care and Development Block Grant Act, S. 1086

- Bipartisan, bi-cameral agreement
- Passed the House on September 16
- Held hostage in Senate last week
- Movement in Lame Duck session possible

The Child Care and Development Block Grant Act, S. 1086

Require States to:

- Establish a grace period for homeless children while families comply with immunization and other health and safety requirements
- Use funds for:
 - Procedures to permit enrollment of children experiencing homelessness while required documentation is obtained;
 - Training and technical assistance on identifying and serving homeless children and their families;
 - Specific outreach to homeless families

The Child Care and Development Block Grant Act, S. 1086

Require States to:

- Coordinate services with early childhood programs serving children experiencing homelessness
- Establish a sliding fee scale that is not a barrier to families receiving federal childcare assistance.

The legislation also requires that families who initially qualify for childcare receive childcare services for at least a year, regardless of changes in income or work, training, or education status.

The Runaway and Homeless Youth and Trafficking Prevention Act, S. 2646

Makes updates to Runaway and Homeless Youth Act programs:

- Includes new provisions to combat trafficking and discrimination
- Increases the length of stays in Basic Centers from 21 to 30 days.
- Requires RHYA grantees to assist youth with completing the Free Application for Federal Student Aid (FAFSA)

Passed out of Senate Judiciary Committee on Sept. 18

The Homeless Children and Youth Act: H.R. 5186 and S. 2653

What it does: Eliminates complex requirements for motel and doubled-up families and youth to be eligible for HUD homeless assistance, streamlines referrals, improves collaboration

How it does it: Amends HUD's definition of homelessness to include children and youth verified as homeless by school liaisons, RHYA programs, Head Start, Health Care for the Homeless programs, etc.

The Homeless Children and Youth Act: H.R. 5186 and S. 2653

What it does: Allows communities to meet the needs that they identify - including families and youth

How it does it: Prohibits HUD from prioritizing one group over another when awarding grants if it doesn't meet a community's needs assessment. Currently, HUD forces prioritization of chronically homeless, even if that is not the community's greatest need.

The Homeless Children and Youth Act: H.R. 5186 and S. 2653

What it does: Shows a truer, more comprehensive view of homelessness to Congress and the public

How it does it: Requiring data from all federal homeless programs to be part of HUD's Report to Congress; and requiring HUD data and funding patterns to be made public on HUD's website

The Homeless Children and Youth Act: H.R. 5186 and S. 2653

ACTION NEEDED:

1. Urge your US Representative and US Senators to become co-sponsors of HCYA:
<http://www.helphomelesskidsnow.org>
2. Add state and local organizations to the HCYA endorsers list: www.naehcy.org
3. Spread the word

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